

# **TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS**

## **MINUTES OF BOARD MEETING**

**APRIL 10, 2007**

President Bob Foster called the meeting to order at 10:02 A.M. in Conference Room 160, Davy Crockett Tower, Nashville, Tennessee.

Board members present were Bob Foster, President, Wendy Hellum, Vice President, Dennis Hamilton, David Murphy, Steve Murphy and Ruthie Reynolds. Board member Ralph Buckner was absent.

Staff members present were Robert Gribble, Executive Director, Adrian Chick, Staff Attorney, and Sandra Cooper and Jimmy Gossett, Administrative Assistants.

President Bob Foster introduced Dr. Ruthie Reynolds, the new board member who is the Consumer Member.

### **APPROVAL OF MINUTES:**

A motion was made by Mr. Steve Murphy to approve the February 13, 2007, Board Minutes.

Seconded by Ms. Hellum

Adopted by voice vote

### **FORMAL HEARING:**

**Before the State of Tennessee Board of Funeral Directors and Embalmers**

**In the Matter of:**

**V.E. Parham and Son Funeral Home**

**Virgil Parham, III, Manager**

**310 21<sup>st</sup> Avenue West**

**Springfield, Tennessee 37172-3542**

**Docket No. 12.21-094262A**

**Presiding: Honorable Steve R. Darnell**

After the case was presented and the State and defense rested, Judge Darnell instructed the Board of their responsibilities:

- 1) To consider if the allegations presented were factual
- 2) To determine what law was appropriate to support the allegations

- 3) What, if any, disciplinary action was to be taken
  - 4) To adopt a policy as to why disciplinary action, if taken, was appropriate
- As to the responsibility of Number 1, Mr. David Murphy made a motion that allegations of Numbers 1-12 were proven as factual.

Seconded by Mr. Hamilton

Adopted by voice vote

As to the responsibility of Number 2, Mr. David Murphy made a motion for the Board to adopt Alleged Conclusions of Law for Numbers 1-12.

Seconded by Mr. Steve Murphy

Adopted by voice vote

As to the responsibility of Number 3, Mr. David Murphy made a motion to assess a \$50.00 civil penalty for each of the twelve (12) findings of fact. The civil penalty assessed to be a total of \$600.00.

Seconded by Ms. Helling

Adopted by voice vote

As to the responsibility of Number 4, Mr. Steve Murphy made a motion that the following statement be adopted: The Board feels the \$600 penalty is appropriate because the defendant was warned prior to the inspection that produced the violations and no intentional violations were done to harm the public.

Seconded by Mr. David Murphy

Adopted by voice vote

Judge Darnell then informed the Board that the cost of the proceedings could be assessed to the defendant.

Mr. David Murphy made a motion that one-half of the cost of the proceedings is assessed to the defendant and the other half be absorbed by the Board.

Seconded by Mr. Hamilton

Adopted by voice vote

Member(s) noted as voting to the contrary of the voice vote conclusion:  
Ms. Helling

**APPROVAL OF FUNERAL DIRECTOR AND / OR EMBALMER LICENSES:**

Upon motion, based upon the application records, the following applicant was approved for licensure.

**Clifton Bryan Daniel  
Union City, TN**

**Funeral Director/Embalmer  
Reapplication**

**APPROVAL OF ESTABLISHMENT LICENSES:**

Upon motion, based upon the application records, the following establishments were approved for licensure.

**New Establishment  
Austin Funeral & Cremation Services, LLC  
Brentwood, TN**

**Ownership: LLC**

**Change of Ownership  
Hunt Funeral Home, LLC  
Bradford, TN**

**New Ownership: LLC**

**Change of Ownership  
Leitherland Funeral Home, LLC  
Rutherford, TN**

**New Ownership: LLC**

**Change of Ownership  
Leitherland Funeral Chapel  
Kenton, TN**

**New Ownership: LLC**

**Change of Ownership  
Yarbrough Mortuary Services, Inc.  
Jackson, TN**

**New Ownership: Corporation**

**LEGAL REPORT:**

**ADRIAN CHICK, STAFF ATTORNEY  
Complaint Review**

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**1. Case No.: L07-FUN-RBS-2006045741**

The Respondent was previously registered as an apprentice. The two year apprenticeship ended December 31, 2006. A complaint was filed alleging that the Respondent was not working forty (40) hours per week as required for an apprenticeship. The Respondent submitted quarterly reports, signed by the supervising funeral director, acknowledging that he was working at least forty

(40) hours per week. The Respondent has not applied for a funeral director or embalmer license.

The Respondent states that he has not yet applied for a funeral director and / or embalmer license and currently does not intend to do so. Respondent believes the complaint is based upon a conversation taken out of context, and that the complaint is motivated by a dispute between the owner of the establishment that supervised his apprenticeship and the complainant.

**Complaint History:** None

**Comments:** Because the Respondent is not registered, not licensed, and has not made application for a license, the Board lacks authority to take disciplinary action against the Respondent. If the Respondent applies for licensure in the future, the Board may inquire into the qualifications of Respondent as authorized by statutes and rules.

**Recommendation:** Close without further action.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Ms. Hllum

Adopted by voice vote

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**2. Case No.: L07-FUN-RBS-2006045751**

The complaint, filed by a competitor of the Respondent, alleges that the funeral director in charge is not a full time funeral director and that the establishment is assisting an apprentice to obtain his funeral director's license under false pretenses.

The Respondent denies the above allegations and states that the complaint is motivated by ill will of a competitor. Respondent also states that the complainant has no personal knowledge of facts that would support his allegations.

**Complaint History:** 200418907 – Closed, C/O paid.

**Comments:** An investigation was conducted in this case but failed to verify the complainant's allegations.

**Recommendation:** Close without further action.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Ms. Hllum

Adopted by voice vote

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**3. Case No.: L07-FUN-RBS-2007048001**

The complainant alleges that the previously listed two complaints (2006045741 and 2006045751) are frivolous and that they were filed for the purpose of harassment.

The Respondent denies any personal vendetta against the complainant and states that the complaints were not made for purposes of harassment.

**Complaint History:** None.

**Recommendation:** Close without further action.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**4. Case No.: L06-FUN-RBS-2006045531**

This complaint is being re-presented. Complainant alleges that her late husband had paid Respondent in advance for his funeral arrangements, but is unable to produce any proof of payment. Complainant also alleges that the Respondent failed to properly maintain a record of her late husband's participation in the "Free Veterans Certificate Program".

The Respondent states that although the complainant's husband had obtained an estimate, he had not funded the funeral arrangements. Respondent states that the veterans' certificates are not maintained by the funeral home, but that they are to be presented by the family of the deceased at the time of death. Respondent was presented with a certificate for complainant's late husband, and went beyond its duty by providing a double-depth crypt.

**Complaint History:** 949823 - Closed

**Recommendation:** Dismiss

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Ms. Helling

Adopted by voice vote

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**5. Case No.: L07-FUN-RBS-2007049701**

The Respondent was inspected on January 11, 2007 and received a Notice of Violation for the following:

- An advertisement on web site needs corrections.
- The web site displays a picture of the Respondent along with his three children who appear to be around 10 years of age.
- The web site should list a price for services. The "direct cremation" package on the web site needs disclosure language. On the general price list, disclosure language needs corrections for caskets and outer burial containers. The casket price list does not include four caskets being offered for sale.
- The embalming machine was missing its cover. No soiled linen container in the preparation room. A trash container was being used without a liner and no cover was present. No paper towels or soap in the preparation room. Room adjacent to preparation room is in a general state of disrepair.

The Respondent states that the embalming machine was newly acquired and the top was damaged, and a new one was on order. Prior to a procedure, the Respondent places a red biohazard bag in the trash can, and then discards the bag afterwards. Respondent states that soap, clorox, and pro e-z were present in the embalming room. The paper towel dispenser was empty, but towels were present in a box by the cabinet. The room adjacent to the prep room is a storage closet. The advertising issue, according to Respondent, has been previously "dropped" by legal. Copies of crematory certificates were posted on the wall. The four caskets were not listed on the casket price list because they were special orders not normally carried in stock.

**Complaint History:** 2004182222 – Closed with Cease and Desist letter; 200504329 – Closed with payment of \$375 Civil Penalty; 200704971 – Still open.

**Comments:** Facts are insufficient to support advertising violation.

**Recommendation:** Letter of Caution advising Respondent to ensure web site complies with FTC requirements.

A motion was made by Ms. Hellum to accept Counsel's recommendation.

Seconded by Mr. Hamilton

Adopted by voice vote

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**6. Case No.: L07-FUN-RBS-2007049601**

An inspection of the Respondent establishment on January 22, 2007 revealed the following violations:

- The casket price list fails to list “immediate burial with cloth covered fiberboard casket”. Cremation urn outer burial price list does not match range of cremation urns outer burial containers offered for sale. The web site does not include the price range for direct cremation or immediate burial.
- The name on the establishment’s sign does not match the registered name. The name on the web site does not match the registered name.
- Required permanent identification tags lacked the date of birth and social security number.

Respondent has made the required corrections to its price lists and has submitted a name change to the Board to correct inconsistencies in sign / web site and registered name. The required information on the identification tags will be correct in the future.

**Complaint History:** 200602490 – Civil Penalty of \$250 paid; 200603789 – closed with Letter of Warning; 200604209 (use of name other than registered name) – closed with Letter of Warning.

**Recommendation:** Letter of Warning.

A motion was made by Ms. Hellum to accept Counsel’s recommendation.

Seconded by Mr. Hamilton

Adopted by voice vote

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**7. Case No.: L07-FUN-RBS-2007052331 and 2007052211**

The complaint alleges that the Respondent funeral director was “very drunk” while the complainant was making arrangements for her late husband. The complainant alleges that the Respondent cursed her, placed her husband’s body in the wrong casket, and failed to give her a general price list or statement of funeral goods and services.

Respondent denies drinking on the day in question and denies cursing. He states that there was some confusion among the complainant and her two daughters regarding the exact casket and that, although he doesn’t believe he made a mistake, it is possible. Respondent states that visitation was at noon, and he was not notified of the issue with the casket until nine o’clock that night and that the body was placed in a different casket as requested. The price list and other documents were given to the complainant’s daughter who paid for the arrangements and asked to be responsible.

**Complaint History:** 200705221 – Still Open

**Recommendation:** Letter of Warning for unprofessional conduct.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**8. Case No.: L07-FUN-RBS-2007047541 and L07-FUN-RBS-2007047531**

**NOTE:** The alleged conduct in these two complaints is identical and involved two funeral directors at the same establishment. For clarity, the funeral director in the complaint ending in "541" will be referred to as "Respondent One" and the funeral director in the complaint ending in "531" will be referred to as "Respondent Two".

The deceased died on December 19, 2006 and the complainant is the decedent's wife. On December 21, 2006, the complainant went to the funeral home and discovered that the decedent's family was making arrangements for his funeral. The complainant did not want to be financially responsible for the funeral, and did not object to the family making arrangements; but did want to be recognized as the wife. Respondent Two had the complainant sign removal and embalming authorizations for her late husband. The death certificate, signed by Respondent One, was filed on December 27, 2006 and states the decedent's marital status as "divorced". The complainant states that after presenting a marriage certificate and an affidavit from the court clerk that no divorce had been filed to Respondent Two, which was after the death certificate had been filed, she was told, "money talks."

A response was provided by Respondent Two. A portion of the response reads as follows:

*Mrs. [complainant] was informed since she was his wife, she was legally the next of kin. She would have to sign and give [establishment] permission to pick-up the remains, embalm, and perform funeral services. Mrs. [complainant] immediately signed the paper work and again indicated that she would not accept any responsibility for the expenses incurred. However, Mrs. [complainant] was concerned that her name be included in the newspaper notice and the family program as the wife of Mr. [deceased]. It was made very clear that I could not guarantee this, because the other family members had stated that he was not married and were paying for the expenses. It was indicated to her the family would be consulted regarding her request. After conferring with the family, who abruptly said no, she would not be included simply because she was not his wife.*



*During the first initial meeting, Mrs. [complainant] did not present a marriage certificate. Several days later, she did however, bring a copy of the marriage certificate. The family was informed and chose not to accept her information*

**Complaint History:** 200005227 - Dismissed. 200632211- Letter of Warning for unprofessional conduct.

**Comments:** TCA 68-3-502 requires the funeral director to obtain personal data from the next of kin and to file the death certificate. By his own admission, Respondent Two was aware that the complainant was the decedent's wife. It appears that the marital status was stated falsely on the death certificate in order to appease the family who paid for the arrangements. The alleged conduct constitutes violation of TCA 68-3-502 [Death registration], TCA 62-5-317(b)(4) (unprofessional conduct), and TCA 62-5-317(b)(12) (knowingly making any false statement on the certificate of death).

**Recommendation: CASE NO.: L07-FUN-RBS-2007047541 (Respondent One)**  
Consent Order assessing a civil penalty of \$250 for each violation (total \$750)

**Recommendation: CASE NO.: L07-FUN-RBS-2007047531 (Respondent Two)**  
Consent Order assessing a civil penalty of \$250 for each violation (total \$750)

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

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**9. Case No.: L07-FUN-RBS-2007052841**

This complaint alleges that the Respondent is advertising that it is "locally owned and operated" when in fact it is not.

The Respondent states that while there are some shareholders outside the area, the operating owners are in fact local and are actively engaged in the business.

**Complaint History:** 200604122 - Closed

**Recommendation:** Dismiss.

A motion was made by Mr. Hamilton to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**10. Case No.: L07-FUN-RBS-2007049651 – Establishment Complaint**  
**Case No.: L07-FUN-RBS-2007049681 – Funeral Director Complaint**

The Respondent funeral director is not a Tennessee licensed funeral director. Funeral services for the deceased took place at the Respondent's funeral home in Kentucky. Following the services, the Respondent transported the body to a nearby cemetery in Tennessee. According to the obituary, "burial" would be at the Tennessee cemetery. A regulatory board field representative was present at the Tennessee cemetery and witnessed the body being unloaded from the Respondent's hearse. A minister made remarks, scripture was read, and a prayer was said. A flag folding ceremony was then conducted by military personnel and "taps" was being played while the flag was folded and presented to the family.

The Respondent states that its only involvement in the events at the cemetery was dismissal of the attendees. All other events, including the military tribute, were planned and directed by the family. The Respondent, although agreeing that a "graveside service" would constitute "funeral directing", believes that its involvement in this instance was so minimal that it did not constitute "funeral directing".

**Complaint History:** None

**Comments:** "Funeral directing" includes the practice of directing or supervising funerals, or making arrangements to provide funeral services, or holding themselves out to the public as funeral directors.

**Recommendation:** Consent Order assessing civil penalty of \$500 against the establishment and authorization for hearing. Letter of Warning to the funeral director.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**11. Case No.: L07-FUN-RBS-2007046861**

Complainant states that the Respondent establishment was unprofessional by making mistakes on the funeral programs and certificate of death. Specifically, the complainant alleges that the decedent's name was misspelled, the date of death was incorrect, and the address was stated incorrectly. The Complainant notified the Respondent of errors on the certificate of death on three separate occasions. Each time, Respondent contacted the health department and the

corrections were made. The Respondent acknowledged a typographical error on the program to the audience, and did not charge for the programs.

**Complaint History:** 200504275 (FTC violations and identification tag) – Civil Penalty of \$750 paid.

**Comments:** The Respondents spelled the last name with a “g” instead of a “q”, the date of death was supplied by the medical examiner, and the address error concerned the use of the letters “Ext” following the street. A letter from the local health department suggests that it has had no previous problems with the Respondent.

**Recommendation:** Letter of Warning.

A motion was made by Ms. Hellum to accept Counsel's recommendation.

Seconded by Mr. Hamilton

Adopted by voice vote

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**12. Case No.: L07-FUN-RBS-2006046201 – Unlicensed Funeral Director  
Case No.: L07-FUN-RBS-2006046191 -- Establishment**

The Respondent funeral director agreed to a voluntary suspension of his license as a funeral director for two years on February 14, 2005. On December 7, 2006, a regulatory board field representative arrived at Respondent establishment. The Respondent funeral director was the only employee present and was preparing for initial viewing of a body by family members. The establishment's manager arrived during the inspection and admitted that the Respondent funeral director had counseled the family. The Respondent also admitted that he had counseled the family, but claimed he was accompanied by a licensed funeral director. A telephone call was placed to the licensed funeral director who stated that he was in the hallway while the Respondent funeral director counseled the family.

The Respondent (unlicensed) funeral director states that he has not waited on families during his suspension, and that the only conversation that he had with the family was discussion of an obituary. He believed the licensed funeral director had followed him into the room, but does not contest the licensed funeral director's statement that he had remained in the hallway.

The Respondent establishment states that it had already set up a time (after the inspection) to meet with the family to discuss arrangements. The purpose of the family's visit on December 6, 2006, was only to bring clothes. Respondent states that the Respondent (unlicensed) funeral director does not wait on families and only conducts visitations, but acknowledges that on this one occasion, the

Respondent (unlicensed) funeral director did meet with the family while the licensed funeral director was “in and out” of the room.

**Complaint History:** Establishment – 200603195 (FTC violations) – Closed with Letter of Warning; Unlicensed Funeral Director – 200421171 (unprofessional conduct for misappropriation of insurance funds) – Voluntary two year suspension effective February 14, 2005.

**Recommendation:** Both Respondents execute Consent Orders or both cases will be set for hearing.

**Establishment** - Consent Order assessing civil penalty of \$500 for aiding or abetting the unlicensed practice of funeral directing, and authorization for hearing.

**Unlicensed funeral director** – Consent Order for voluntary revocation of funeral director and / or embalmer license, and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel’s recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**13. Case No.: L07-FUN-RBS-2007049761**

Following an inspection on January 11, 2007, the Respondent establishment received a Notice of Violation for the following:

- Statement of funeral goods and services does not list transfer of remains, use of staff for graveside services, or disclosure language for direct cremation. Prices for direct cremation are inconsistent, prices for immediate burial are inconsistent, high and low range on the casket price list are inconsistent. Outer burial containers are being offered for sale to the consumers that do not match the outer burial container price list.
- Respondent did not have a copy of the crematory’s license or latest inspection report.

The Respondent provided copies of updated price lists as well as a copy of the crematory’s license and latest inspection report.

**Complaint History:** 200419849, 200504158, 200602332, and 200603196 – all closed.

**Recommendation:** Consent Order assessing civil penalty of \$500 and authorization for hearing.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.  
Seconded by Mr. David Murphy

Adopted by voice vote

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**14. Case No.: L07-FUN-RBS-2006045761**

Following an inspection on December 7, 2006, the Respondent establishment received a Notice of Violation for the following:

Required disclosure language for direct cremation is lacking. The price charged for a hearse on the statement of funeral goods and services is higher than the price indicated on the general price list. The price charged for transfer of remains is greater than the price listed on the general price list. Casket price range on the general price list is inconsistent with the casket price list.

The Respondent has provided updated price lists.

**Complaint History:** 2000002863 – Closed with Letter of Caution; 200603452 – Closed with payment of \$500 Civil Penalty.

**Recommendation:** Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. Hamilton

Adopted by voice vote

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**15. Case No. 12.21-095029A**

Notice of Hearing and Charges were filed against both the establishment license and individual in the above case on March 20, 2007. The formal charges included the following complaints:

2006039481 – unlicensed conduct  
2005043861 – violation of permanent identification device statute  
2005044871 – failure to notify Board of change of ownership  
2005034661 – failure to pay reinspection fee  
2005013721 – unprofessional conduct  
2005034611 – failure to pay reinspection fee

2006039491 – unlicensed conduct

An Agreed Order was executed by the Respondent and staff attorney, subject to the Board's approval, which settles the above matters upon payment of a \$2,500 civil penalty. The Respondent has submitted payment in full.

**Recommendation:** Legal recommends the above referenced Agreed Order and payment of civil penalty in the amount of \$2,500 should be accepted and incorporated into a Final Order.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. Hamilton

Adopted by voice vote

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**16. Complaint No's.**

- 2005045321 – Failure to pay inspection fee in timely manner
- 2006012461 – FTC violations and permanent ID device violation
- 2007049911 – Failure to pay inspection fee
- 2006037981 – Unlicensed conduct
- 2005039421 – Unprofessional conduct
- 2006032951 – Unprofessional conduct – Dismiss due to lack of evidence

A Consent Order has been executed in the above cases in which the Respondent agrees to a civil penalty of \$4,500. The Respondent has submitted payment in full.

**Recommendation:** Legal recommends that the above Consent Order and civil penalty of \$4,500 be accepted by the Board. Additionally, Legal recommends closure of Case No. 2007049931 (failure to pay inspection fee).

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**17. Complaint No.'s 2007047861, 2007047881, 2007047841, 2007047851**

These complaints were opened against both the establishment and the funeral director. The basis of these complaints is the Respondents' use of language in its letterhead and other documents reflecting a name that is not exactly the same as the registered name. In addition to its registered name, the Respondent added in small font above its registered name that it is "A XXXX Funeral Chapel".

After an inspector took issue with the additional language, the Respondents deleted the additional language. After presenting their application for change of ownership to the Board and obtaining approval, the Respondents added the language back.

The Respondent believes that the additional name is not misleading or deceptive, but only informs the public that it is owned by a larger corporation.

**Complaint History:** None

**Comments:** Respondent has agreed to relocate this language to underneath the establishment name.

**Recommendation:** Close on Respondent's agreement to modify language within 180 days.

A motion was made by Mr. Hamilton to accept Counsel's recommendation.

Seconded by Ms. Hellum

After discussion, Ms. Hellum withdrew her second to the motion. The motion died for a lack of second.

A motion was made by Mr. David Murphy for an informal hearing.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**18. CASE NO.: L07-FUN-RBS-2007049821**

The Respondent, at the time he received a Notice of Violation, was engaged in the transportation of human bodies and not a licensed funeral establishment. An advertisement was placed in the yellow pages that listed his name as "XXXX Mortuary" under the "Funeral Directors" heading. The Respondent intends to open a funeral establishment in the immediate future. The Respondent states that it was an error on the part of Bell South and has supplied verification that his telephone number is now listed as "XXXX Transportation".

**Complaint History:** None.

**Recommendation:** Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

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**19. CASE NO.: L07-FUN-RBS-2007049551**

The complaint, filed by a consumer, alleges the following:

- The Respondent charged \$3,450 for basic services which is “outrageous”
- The Respondent made changes to the statement of funeral goods and services and sent the complainant a copy. This constitutes fraud.
- The Respondent is advertising a “full service” package without including the opening and closing fees, escort fees, or book & thank you card fees.

The Respondent acknowledges its charges for basic fees. In an effort to appease an unhappy customer, the Respondent made various refunds to the complainant which is reflected on the revised statement of funeral goods and services. The additional items that complainant feels should be included in the advertisement do not apply to all purchasers and the opening and closing fees are cemetery items, therefore not listed.

**Complaint History:** 941977 – Closed; 200002698 – Closed

**Recommendation:** Dismiss; no violation supported.

A motion was made by Mr. Steve Murphy to accept Counsel’s recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

**ADMINISTRATIVE MATTERS:**  
**ROBERT B. GRIBBLE, EXECUTIVE DIRECTOR**

**Report of Individual Licenses approved by Executive Director:**

**Ashley Brent Dicus**  
**Sparta, TN**

**Funeral Director**

**Sharon Renee Phifer**  
**Pulaski, TN**

**Funeral Director**

**Marquis deLafayette Dotson, III**  
**Cleveland, TN**

**Funeral Director & Embalmer**

**Mary Victoria Hollingsworth**  
**Selmer, TN**

**Funeral Director & Embalmer**



**Ronald Dale James  
Franklin, TN**

**Funeral Director & Embalmer**

**Glorinette Lopez-Ortiz  
Murfreesboro, TN**

**Funeral Director & Embalmer**

**James Harold Stewart, Jr.  
Knoxville, TN**

**Funeral Director & Embalmer**

**Michael E. Tabers  
Nashville, TN**

**Funeral Director & Embalmer  
Reapplication**

**David Bonham Veselik  
Damascus, Virginia**

**Funeral Director & Embalmer  
Reciprocity – Virginia**

**Closed Establishment Report:**

Two establishments have closed since the last Board meeting:

- Franklin Memorial Chapel, 1009 West Main Street, Franklin
- Pettus-Owen and Wood Funeral Home, 4506 Charlotte Avenue, Nashville

**Disciplinary Action Report:**

**The Board has previously authorized these consent orders and civil penalties. The Consent Orders have been signed and the civil penalties paid by the respondents. The Executive Director requests the Board's acceptance of the following consent orders.**

Complaint No. 2006046251

Violation: FTC price violations and failure to affix permanent ID device to the remains in a casket

Action: \$250 Civil Penalty

Complaint No. 2006046401

Violation: Current license of funeral director not available for inspection, failure to include necessary disclosure relating to embalming, failure to maintain a copy of current license and last inspection report for the crematory that the funeral home uses

Action: \$250 Civil Penalty

Complaint No. 2006040931

Violation: FTC price violations and failure to affix permanent ID device to the remains in a casket

Action: \$500 Civil Penalty

Complaint No. 2006046371

Violation: FTC price violations, failure to include necessary disclosure relating to embalming and failure to affix permanent ID device to remains in a casket

Action: \$250 Civil Penalty

Complaint No. 2006044571

Violation: FTC price violation and permanent ID device did not contain all required data

Action: \$250 Civil Penalty

Complaint No. 2006046361

Violation: FTC price violations, failure to maintain a copy of current license and last inspection report for the crematory that the funeral home uses

Action: \$250 Civil Penalty

Complaint No. 2006046271

Violation: FTC price violation, current licenses of funeral director and embalmer not available for inspection, failure to maintain a copy of current license and last inspection report for the crematory that the funeral home uses

Action: \$250 Civil Penalty

Complaint No. 2006044611

Violation: FTC price violations

Action: \$250 Civil Penalty

A motion by Mr. David Murphy to approve the Executive Director's request.

Seconded by Mr. Steve Murphy

Adopted by voice vote

**Open Complaint Report:**

As of April 5, 2007, there were 125 open complaints.

Executive Director Gribble announced that the annual convention of the Tennessee Funeral Directors Association is scheduled for June 3-5, 2007, at the Marriott Franklin Cool Springs Hotel in Franklin, TN. The TFDA requested the Board to hold their June meeting in conjunction with their convention on June 5, 2007.

A motion was made by Mr. Steve Murphy to hold the June Board meeting at the Marriott Franklin Cool Springs Hotel on June 5, 2007, to coincide with the TFDA Annual Convention.

Seconded by Mr. David Murphy

Adopted by voice vote

Mr. Steve Spann, President of John Gupton Mortuary College, reminded the Board of the annual convention for The International Conference of Funeral Service Examining Boards that is scheduled to be held in Nashville, TN on April 18-22, 2007. Mr. Spann extended an invitation to everyone.

**ADJOURN:**

A motion was made by Mr. David Murphy to adjourn.

Seconded by Mr. Steve Murphy

Adopted by voice vote

There being no further business, the meeting was adjourned at 1:35 P.M.

Respectfully submitted,

*Robert B. Gribble*

Robert B. Gribble, CFSP  
Executive Director